

HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
June 17, 2010
APPROVED: August 5, 2010

Chairman Paul Willard called the meeting to order at 7:00pm in the Town Hall Meeting Room

Members Present: Paul Willard, Wendy Sisson, Jaye Waldron, Jim Breslauer, Patrick Doherty and Lewis Beilman (Associate Member)

Others Present: Liz Allard (LUB Admin), Kerri Stoffel and Rick Dickson

Informal Discussion for Renovations – 70 Westcott Road

Liz Allard explained that Wendy Magan is doing architectural designs for the owners of 70 Westcott Road, who would like to add a family room and master bedroom to their first floor. The addition would be 24' from the wetland. Ms. Magan understands that structures are not allowed within 75' of any resource area for new construction, but wanted the Commission's opinion as whether they would allow this addition since the house is pre-existing. The area in question is previously disturbed by an existing deck and lawn area. Kerri Stoffel, the homeowner was present. The new addition will be six feet closer to the wetland than the existing deck. Jim Breslauer stated he has a problem with a structure getting closer to the wetland. He pointed Ms. Stoffel to the pertinent Harvard regulations. Wendy Sisson stated if the addition were not on a foundation it might be acceptable. Patrick Doherty stated the homeowner is landlocked and does not have any open space for her to move the addition to another location. The members agreed that in order to make any real decisions an application would be needed.

Request to Remove Trees- Richard Dickson, 0 Warren Avenue

Richard Dickson was present to request the removal of several trees from his property at 10 Warren Avenue. The trees have already created a safety issue by falling onto an abutting property and totaling a vehicle on that property. The trees in question are trees that were damaged during the ice storm in 2008. The trees Mr. Dickson would like to remove have Ash blight and are slowly dying and decaying. Mr. Dickson stated he would like to remove a total of five trees within the wetland boundary and the buffer zone. Wendy Sisson explained that within the wetland it is best practice to not remove the felled trees as they are good habitat. There shall be no machine in the wetland. If there is a way to pull the trees out by hand Mr. Dickson may do so. All trees should be felled away from the wetland. Jim Breslauer made a motion to allow the cutting of five trees, which are to be reviewed by Paul Willard for proper removal. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

Ayer Road Meadow Easement

Liz Allard explained to the Commission that she has spoken with Cindy Russo in regards to the Nitrogen Credit Land Easement required by the Department of Environmental Protection (DEP). It seems as though the Commission is trying to implement

requirements within the easement that will be covered in later documents required by DEP. This easement is between the Commission and DEP; Wheeler Realty Trust is not a party to this document. The document drafted and available on DEP's website cannot be changed for it to be accepted by DEP. Town Counsel reviewed the document prior to it being brought to the Commission and had no issues with it. Jaye Waldron will inquire at DEP do determine if the document can be altered and how to ensure that monitoring is being accomplished. Jim Breslauer suggested having the Russo's enter into a contract requiring the monitoring of the Conservation Land. The members agreed that this may be the solution to ensuring monitoring of the Conservation Land takes place. Liz Allard will follow up with Cindy Russo.

Wind Turbine Siting & Health Impacts - Wind Energy Siting Reform bill (House No. 4687)

Wendy Sisson stated she is all for alternative energy, the problem is that the Wind Energy Siting Reform Bill cuts into home rule petition itself. Under this proposed bill anyone who would like to site a wind energy facility may do so by right, regardless of local regulations. Jim Breslauer feels local control should be maintained, but this bill is not going to directly affect Harvard. The Commission agreed not to take any position on the matter.

Jim Breslauer left the meeting at 8:05pm.

Approval of Minutes

Wendy Sisson made a motion to approve the minutes of May 20 and June 3, 2010 as amended. Patrick Doherty seconded the motion. The vote was unanimously in favor of the motion.

Land Stewardship Subcommittee

Wendy Sisson made a motion to appoint George Watkins as an associate member to the Land Stewardship Subcommittee. Patrick Doherty seconded the motion. The vote was unanimously in favor of the motion.

Right of First Refusal – Westward Orchard, Lot B Prospect Hill Road (Map 16 Parcel 11.1)

Wendy Sisson made a motion to recommend to the Board of Selectmen that they not excise the right of first refusal to obtain Lot B Prospect Hill Road (Map 16 Parcel 11.1). Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Community Preservation Committee Application due September 30th

Liz Allard informed the members that Community Preservation Committee has sent out notice that applications for funding request are due by September 30th. The Commission agreed to discuss further at later date when additional members were present.

Documentation of Notice of Intent for Bare Hill Pond Watershed Management Committee for Dredging Project

Liz Allard informed the members she has been asked by Jeff Ritter of the Bare Hill Pond Committee to determine what types of plans and documents the Commission will want for the new Notice of Intent for the proposed dredging work at the beach this winter. The Commission agreed that the plans and documentation required by Chapter 147 will need to be submitted.

Request from the Boston Mycological Society

Liz Allard started that Becca Newsham contacted her to request that the Commission allow the Boston Mycological Society to pick mushrooms on the Bare Hill Wildlife Sanctuary during an annual outing this summer. Members question whether this activity was allowed under State law. Liz Allard will look further into any State requirements that would not allow for such an activity. Wendy Sisson made a motion to allow the picking of mushrooms as long as it legal and would be a one-time event for educational purposes and not an expedition for new hunting grounds. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Tree Removal Policy

Jaye Waldron recently questioned the Commission's recent verbal approvals of the removal of trees within not only buffer zones, but wetlands as well. The Commission agreed that a policy on how to deal with such a request should be drafted. Wendy Sisson volunteered to draft a policy for review at the next meeting.

Extension Request – Sawyer, 44 Peninsula Road, DEP#177-519

Liz Allard informed the members that she has received a written request and filing fee from Michael Sawyer for an extension of the Order of Conditions for 44 Peninsula Road for one year. Wendy Sisson made a motion to extend the Order of Conditions for 44 Peninsula Road, DEP#177-519 for one year. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Open Space & Recreation Plan

Liz Allard informed the members that she has completed binding and distributing the Open Space & Recreation Plan (OSRP) and would like start the process of forming a committee to implement the plan. Wendy Sisson stated she would like there to be five additional copies available to be loaned out to the Commissioners and the members of the Land Stewardship Subcommittee. Liz Allard stated that additional 11 x 17 color maps will need to be ordered. Patrick Doherty made a motion to allocate funds for the purpose of obtaining five additional sets of OSRP maps. Paul Willard seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

Jaye Waldron made a motion to adjourn the meeting at 9:25pm. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent